

Remarks/Arguments

Reconsideration of this application, as amended is respectfully requested.

Claims 1 - 7 remain in this application for examination.

Former claims 1, 2, 5 and 7 are under a rejection based on 35 U.S.C. 102(b) as being anticipated by Anderson (US 5,733,059). It is respectfully submitted that as now presented, base claim 1 clearly defines over Anderson.

Specifically, as now presented, claim 1 requires the mounting arrangement to have an end fixed to a central, top region of the operating unit **at a location approximately half way between opposite ends** of the operating unit.

Anderson discloses an operating unit in the form of a sickle mower 12 having its **inner end** coupled to a mounting arrangement defined by a brace plate 22 that is coupled to the tractor 14 by a pivot shaft 28 about which the mower 12 may be swung vertically. Anderson also discloses a hydraulic actuator 18 in the form of a rotary fluid vane motor having a cylindrical housing having a lower end fixed to the brace plate 22 and an upper end coupled for pivoting relative to a support frame 24 about an upright axis defined by a shaft 36 which couples the actuator 18 to the support frame 24. The actuator 18 contains a vane 50 joined to a hollow shaft 48 received on, and fixed for rotation with, the shaft 36. The vane 50 is located within a cylindrical fluid chamber 40 for being driven between opposite sides of a stationary barrier 46 in response to fluid pressure acting on one side or the other of the vane. When fluid pressure is directed to an inlet 42 located adjacent one side of the barrier 46, the shaft 36 is rotated such that it causes the mower 12 to pivot to its working position wherein it extends sideways from the tractor 14. In the event the mower 12 contacts an obstacle located in the path of movement of the mower during operation, the mower will move rearwardly once the pressure setting of a relief valve 62 is overcome by the increase in fluid pressure caused by the mower driving the vane 50 in the direction toward the inlet 42. Once the obstacle is past, the pressure will drop permitting the relief valve to close with the pressure then acting against the vane 50 to return the mower 12 to its working position.

Thus, it will be appreciated that the claimed location of the connection between the operating unit and the mounting arrangement is not present in

Anderson. Accordingly, claim 1 is thought allowable.

Claim 2 depends from claim 1 and is likewise thought allowable. Claim 2 is thought allowable for the additional reason that it requires the connection to include a friction lock, and the hydraulic lock of Anderson cannot fairly be construed to be a friction lock.

Claim 5 depends from claim 2 and is likewise thought allowable. Claim 5 is thought allowable for the additional reason that, as amended, it requires the support arm to be constructed in **two sections**, that are hinged together and normally held in a working condition by a further safety device which permits movement of the operating unit and one of the sections about a second upright axis defined by the hinge when a second preset condition is reached, and no such two section arm is present in Anderson.

Claim 7 depends from claim 1 and is likewise thought allowable.

Claim 3 is under a rejection, based on 35 U.S.C. 103(a) as being unpatentable over Anderson, as applied above, in view of Maier et al. (US 3,543,489), with the Examiner stating that it would have been obvious to one having ordinary skill in the art at the time of the invention to have provided the harvesting implement connection of Anderson with the shear pin of Maier et al. in order to provide a mechanical device that gives way under a certain load for safety when an obstacle is encountered. This rejection is thought in error as Maier et al. does not disclose a shear pin.

Maier et al. show a disc mower supported by a tractor three-point hitch 18 and including a beam carrier 1 to which a support beam 2 is coupled by a hinge 3 for pivoting about an upright axis. A latch arm 12 is carried at an inner end of the support beam 2 on a side opposite from the hinge 3 and has an end shaped for engaging a projection 14 fixed on an outer end of the beam carrier 1 and is normally held in engagement with the projection 14 by a coil compression spring 13 received on a bolt fixed to the beam 2 and projecting through a hole provided in the latch arm 12 when the beam 2 is in a working position located in axial alignment with the beam carrier 1. If during mowing, the beam 2 becomes subjected to a rearwardly directed force due to the mower striking an obstacle, or the like, it is possible for the beam 2 to pivot rearwardly about the hinge 3 once the holding force of the spring 13 acting on the latch arm 12 is overcome.

Clearly, the latch arm 12 and spring 13 do not constitute a shear pin. Therefore claim 3, is thought to be patentable because it requires a shear pin, not found in either of Maier et al. or Anderson. Claim 3 depends from claim 2 and is thought allowable the same reason stated above for the allowance of claim 2 over Anderson alone, with it being noted that Maier et al. do show a friction lock but the lock is not located centrally on the hinge axis 3 as it would need to be to meet the terms of claim 2 which require the upright axis to **extend centrally through the friction lock**.

Claims 4 and 6 are considered by the Examiner to contain allowable subject matter and since these claims each depend from claim 1, which is thought allowable, they too are thought to be allowable.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Respectfully,


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